DETAILED ACTION

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes

and/or additions be unacceptable to applicant, an amendment may be filed as provided

by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be

submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview

with Steven L. Nichols, Registration No. 40,326, on May 20, 2009.

2.   Claims 1, 2, 13, and 14 are amended, as presented below, to address any

potential issues of 35 U.S.C. 112, second paragraph, and to place the claims in a

condition for allowance.

IN THE CLAIMS

Claims 1, 2, 13 and 14 have been amended as follows:

Claim 1 (currently amended),

At line 10, after "converting said", please insert <u>identified</u>.

Claim 2 (currently amended),

At line 2, after "instructions" please insert <u>each</u>;

At line 2, after "said control part" please insert <u>of said source instruction</u>;

At line 3, after "to identify" please insert <u>said source instruction</u>.

<u>Claim 13 (currently amended)</u>,

At line 14, after "convert said" please insert <u>identified</u>.

<u>Claim 14 (currently amended)</u>,

At line 2, after "instructions" please insert <u>each</u>;

At line 3, after "control part" please insert <u>of said source instruction</u>;

At line 3, after "to identify" please insert <u>said source instruction</u>.

-- End --

Allowable Subject Matter

3.   Claims 1-28, and 30-33 are allowed.

4.   The following is an examiner's statement of reasons for allowance: The prior art

does not teach or reasonably suggest , in the combinations recited in independent claim

1 and similar claims 13, 25 and 33, translating binary code instructions from a source

format to a target format for processing by a target processor comprising the steps of

converting identified source instructions into a source intermediate data structure having

a plurality of members and mapping said members in said source intermediate data

structure to corresponding members in a target intermediate data structure according to said template, as reflected in Applicant's arguments (see Appeal Brief, pages 16-17).

5.   Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHENECA P. SMITH whose telephone number is (571)270-1651. The examiner can normally be reached on Monday-Friday 7:00-4:30 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached on (571) 272-3695. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Cheneca P Smith/   /Tuan Q. Dam/
Examiner, Art Unit 2192   Supervisory Patent Examiner, Art Unit 2192
5/21/2009